

Draft Minutes  
Board of Selectmen  
9/11/17

1. Call Meeting to Order

At tonight's meeting were Anne Surman, Don Clement, Julie Gilman, Kathy Corson, Dan Chartrand, and Russ Dean, Town Manager. The meeting was called to order at 6:50pm, by Chairman Don Clement in the Nowak Rook of the Town Office Building.

2. Board Interviews: Conservation Commission

There was a Board interview with Sally Ward for a position on the Conservation Commission, which took place in the Wheelwright Room.

3. Public Comment

Chris Soutter, from the human services committee, wanted to respond to the August 21<sup>st</sup> meeting about the exclusion from the SPCA from their budget. She said that although members of the committee were supporters of the NHSPCA, they did not serve the town's basic human needs. She said that the town offers other support to the organization. She also said that the committee had no formal criteria for their budget and had to create that.

Chairman Clement thanked her for coming and asked her to come back during a future meeting. Selectman Chartrand said that he appreciated the committee's work. Selectwoman Surman said that she appreciated their response, and that she had a concern that the SPCA had been supported by the town for a long time and now wasn't being supported. She emphasized that she wanted to keep a positive relationship with the organization.

At the end of the meeting, Michael Ward came to the microphone to speak about his book, *A Colored Man in Exeter*, about his father. He read a passage from the book and then presented it as a gift to the town of Exeter.

4. Minutes & Proclamations

Selectwoman Corson read the proclamation, which was in remembrance of the tragedy of 9/11 and the response to it. The proclamation honored 9/11 victims and was to proclaim September 11<sup>th</sup> a day of service and remembrance in Exeter.

Fire Chief Comeau spoke and thanked the men and women in the police and fire departments. Chief Shupe of the police department commented on the recent work on the National Day of Service and of Finder's Keepers to get supplies to Hurricane Harvey victims. Chairman Clement thanked first responders for their protection. Mr. Dean wanted to acknowledge the police and fire departments and expressed his gratitude for their work.

5. Approval of Minutes

- a. August 21<sup>st</sup>, 2017

Chairman Clement pointed out that on page 2, in the second to last paragraph, it should say “subwater shed” instead of “sub water shed”.

**MOTION:** Selectman Chartrand moved to approve the minutes as amended, Selectwoman Surman seconded the motion. It passed unanimously.

b. August 28<sup>th</sup>, 2017

Chairman Clement pointed out that on page 2, in the 3<sup>rd</sup> paragraph, it should say “he also suggested”. He also said that on page 4, in the 3<sup>rd</sup> paragraph, it should say “should” where it says “could”.

**MOTION:** Selectman Chartrand moved to approve the minutes as amended, Selectwoman Surman seconded the motion. It passed unanimously.

6. Appointments

There were none to report.

7. Discussion/Action Items

a. Wastewater Facility Project Update – Change Order Request

Mr. Dean began by explaining that although the wastewater facility project has been underway for some time, an issue had come up with unforeseen sludge causing change in the project. Jennifer Perry, Public Works director, came up and spoke about a memo from Wright-Pierce describing the change order of 935,741 dollars, and give a time extension of 39 days. She explained that during the survey work the sludge was not completely detected, and some material has been brought in. Some sludge is below overburden. So, there are several materials onsite that need to be handled. Wright-Pierce worked with the construction companies to get the most affordable pricing to get the contaminated sludge off the site. The project would still be under the engineer’s estimated cost.

Ed Leonard, the project manager for Wright Pierce, explained that there was a topographic survey during the design phase and there was an error with the survey rod, which was not fully extended, so it was off by about 3 feet. They did look at changing the elevations of the structures, but decided that it would only add cost. So, the recommendation is to proceed with the change order as proposed. Selectwoman Gilman asked if they should choose a recommendation. Ms. Perry said that public works agreed with Wright-Pierce’s recommendation.

Selectwoman Surman asked about the survey rod malfunctioning. Mr. Leonard explained that they did not see that it wasn’t fully extended. Part of the issue, he said, is that the material on the site didn’t meet state standards of clean material. He emphasized that the recommendation is in the best interest of the town. Selectwoman Surman asked if the company had an error policy. Mr. Leonard said that they did. Selectman Chartrand said that he values the relationship with Wright-Pierce, and wondered if there would be any more surprises ahead in the project. Mr. Leonard said that the biggest risk for change orders on these projects is in existing conditions that weren’t detected in design, so the biggest risk is over. Another big risk is getting to subgrade, which most of the project is.

Selectman Chartrand asked what was being left behind in the two areas with additional grading, and what was being used to raise the grade. Mr. Leonard said that they would remove the sludge and use

excess material to get it back to grade. Chairman Clement asked about removing the additional 39,720 cubic yards of overburden to get to the sludge. He asked what this was comprised of and if it would remain on site. Mr. Leonard said that it will remain on site, and that it will be peeled back to get to the sludge. It will be then put back on site.

Chairman Clement asked about the costs of the project, he asked why removing the overburden would cost 476,000 dollars. Mr. Leonard said the components to this were excavation, transport, and compaction of the material. Chairman Clement asked about the sludge cost of 265,000 dollars for digging out and disposing the material. He asked how we know that this survey is accurate. Mr. Leonard said that the survey looked consistent with records, and it became obvious only when the area was not submerged underwater. Chairman Clement asked about the 3 other lagoons and if they needed to have sludge removed. Mr. Leonard clarified that in the long-term, they will have to do a lagoon closure plan which has been deferred to a later date.

Chairman Clement asked about the change of time extension, and if the EPA knows about the plan and the recommendations. He wanted to know if the EPA needed to approve it. Mr. Leonard explained that the EPA has not seen the material, but they have been in contact with the NH DES which takes a more detailed look. He felt that the EPA would view it favorably. Chairman Clement asked if the board needed to approve anything. Ms. Perry said that Mr. Dean is authorized to do so. She said it wouldn't hurt to have the board's approval.

**MOTION:** Selectman Chartrand moved to approve and authorize the town manager, Mr. Dean, to sign the change order number one in total of 935,741.99 dollars for the wastewater treatment facility. Selectwoman Corson seconded the motion. The motion passed 4-1-0, with Selectwoman Surman voting nay.

b. Tree Inventory Presentation: DPW Highway

Ms. Perry introduced the public works department's summer intern, Torey Brooks, a senior at UNH. She had been working on an inventory of the town's trees. Ms. Perry also wanted to acknowledge Jay Perkins, who brought the issue up to the town originally.

Ms. Brooks spoke about her project in detail. It was a 2-month project with Mr. Perkin's oversight, where 849 trees were inventoried using iTree and GPS. She focused on urban compacts of trees. She showed the board a map of the area inventoried. The biggest goal was to understand the value of public trees, to collect maintenance and condition information, and to have a comprehensive inventory. The main points of the project were composition and abundance, tree function, and value. She showed the board a breakdown of the trees and where they were located. Overall, it covered about 26 acres of canopy cover. She showed the board the most common tree species in town, which were mostly maples.

She then showed the board compiled data to show the function and value of the trees. They were mostly energy saving costs and aesthetic/property values. As for condition and maintenance, 33 of the trees were in need of removal, 130 for major pruning, 81 for minor pruning, 131 were in conflict with wires, and 144 were causing sidewalk damage. Chairman Clement asked if only deciduous trees were covered. Ms. Brooks said that they covered all trees, but that in urban areas deciduous trees were more

common. Mr. Perkins said that they were working on tailoring their budget to continue a long-term maintenance program. They have not replaced many trees to date.

Selectwoman Gilman asked if the program tracked diseased trees, and asked about the ash tree borer. Ms. Brooks said that they didn't find indicators of disease or ash tree borers. Mr. Perkins said that they would keep an eye out for risks such as that. Selectwoman Gilman expressed her appreciation of the project. Selectwoman Corson agreed, and said that she would bring the project to the planning board.

Selectwoman Surman asked if the data gave an idea of what trees should be planted. Ms. Brooks said that there were lots of recommendations, with the biggest being not planting trees in one strip and to continue switching up trees and including native species. Mr. Perkins said they had to take into consideration height and conflict with wires, for example. Selectman Chartrand said that he liked the work done. He asked if residents could be notified before pruning was done on private property, he asked if any trees on private property were inventoried. Mr. Perkins said there was no plan to inventory those trees at this point.

Chairman Clement asked about the tree nursery of public works, and if that was a program that made sense to continue. Mr. Perkins said it did not make sense because prices have dropped, so they can more easily get replacements. He pointed out that residents need to help with watching and watering trees. Selectwoman Gilman asked if there was an action plan for going forward with the inventory. She asked about an app that identifies trees. Ms. Brooks said that they put the information into GIS software because it could be updated.

Ms. Perry thanked both Ms. Brooks and Mr. Perkins for their work. She wanted to identify the town's assets, and said that people can take this information and translate it into their own properties. Chairman Clement asked to get this information onto the town website.

#### c. Health Ordinance Updates: Second Reading

Chairman Clement said that the first reading of the health ordinance updates was done at the last meeting, and that they need three done. This would be the second.

**MOTION:** Selectwoman Surman moved to open the public hearing on this issue. Selectwoman Corson seconded the motion, and it passed unanimously.

**MOTION:** Selectwoman Surman moved to close the public hearing on this issue. Selectwoman Corson seconded the motion, and it passed unanimously.

James Murray, the health officer for the town, said that he had nothing to add to the ordinances and was open to any questions from the board.

### 8. Regular Business

#### a. Tax, Water/Sewer Abatements & Exemptions

There were none to discuss at this meeting.

Mr. Dean said that Mr. Lessard had completed work on the 9A tax exemptions, which will be about 5 or 6 properties in total.

b. Permits and Approvals

There was an application to use the town hall facility by Greg Bisson of the Parks and Recreation Department for the annual Sweetheart Dance on February 9<sup>th</sup>, 2018.

**MOTION:** Selectman Chartrand moved to approve the permit, Selectman Surman seconded the motion. It passed unanimously.

c. Town Manager's Report

Mr. Dean introduced a contact amendment to services with MRI, which would be a reduction in MRI's hours with the town and a reduction in cost. It was before an average of 3 days per week. Chairman Clement said that sum was 100,000 for 2017, which was the reduction. He asked how much of a reduction that was, and Mr. Dean didn't know. Selectwoman Surman said that she didn't feel comfortable approving this because she also wanted to know the original amount. Selectwoman Corson agreed with this. The letter was date June 22<sup>nd</sup>, Chairman Clement asked if they could wait to get the original agreement. The board agreed to bring it back at a future meeting.

Mr. Dean said that there was a request from the IT department and the town's clerk office to declare some office equipment and phone equipment as surplus material, which they could then dispose of unless they could sell them.

**MOTION:** Selectwoman Gilman moved to declare these items as a surplus to be disposed as recommended. Selectwoman Surman seconded the motion, and it passed unanimously.

Troy Mudgett came before the board and explained that he was the high bidder on 11 Hemlock Street, a property in town with high back taxes. He requested that the board waive the interest rate on those back taxes because it was very high, about 4,000 dollars' worth.

Chairman Clement asked if it was a private auction. Selectman Chartrand asked if he was made aware of the interest when he bought the property. Mr. Mudgett said he knew of the total amount, but not the breakdown for the taxes. Selectwoman Corson asked if there was precedent for waiving this. Mr. Dean said that he was not aware of it, but that if there was proven financial hardship, it could be an extenuating circumstance. Selectwoman Surman asked if the town would have had to eventually take the property. Mr. Dean said that it was up to the board, and that there was no tax deed on this property. Chairman Clement said that there was 4,989.39 dollars in interest from the town. Mr. Mudgett said that the total amount of back taxes is 14,841.11 dollars. Selectwoman Gilman asked if the past due taxes accumulate daily, it was answered that it did. And the interest rate is controlled by the state.

**MOTION:** Selectman Chartrand moved to deny the request of Mr. Mudgett to waive the interest rate, Selectwoman Surman seconded the motion. The motion passed 3-2-0, with Chairman Clement and Selectwoman Gilman voting nay.

Mr. Dean said that the town is continuing to work on its budget. There is a meeting with Phillips Exeter Academy on 9/12/17 to talk about issues like the Front Street project and Elm Street. Selectwoman Surman brought up parking as an issue to talk about. Mr. Dean also said there was a meeting on 9/12/17 with the Lincoln Street School, and that the Lincoln Street Project will have a public meeting on September 21<sup>st</sup>. The library will meet on 9/14/17, which will be a meet and greet to show the proposed renovations. The office also had some questions about tickets sold and fundraisers.

#### d. Selectboard Committee Reports

Selectman Chartrand reported that he had had a master plan steering committee meeting last week, on the 29<sup>th</sup> of August. They finished working on the action plan. He also participated in the housing committee meeting, which will not do the property off of Kingston Road and are instead looking for a different site. Selectwoman Surman said that she had a site walk with the conservation commission at 3-5 Continental Drive, to see whether or not it was buildable and to see the wetland areas. Two buildings will be put up there. She also went to a Swasey Parkway Trustee Meeting to review their procedures. She talked about Rocks Across America, where people are putting rocks on the Parkway grass which causes a mowing hazard.

Selectwoman Corson has a planning board meeting this week to talk about the CIP. Selectwoman Gilman spoke about a heritage commission project to repair and renovate the Winter Street Cemetery, they are currently trying to get a contractor. They have to wait for the stewardship plan to be reviewed, and may have to have an archaeological investigation. Chairman Clement had an E-911 committee meeting, which reviewed mapping. They will have a notification of what the street addressing requirements are, for example, it's required to have the number on properties visible.

#### e. Correspondence

There was a September 1<sup>st</sup>, 2017 NH Drought Monitor report from DES. The state of NH is not currently within a drought, but the dry area has expanded to include Rockingham county. Mr. Dean said that the water/sewer committee will meet this week and will talk about conservation efforts.

There was a letter from Kelly King regarding the decision about the Great Bay Kids taxes. There was a thank you letter from Marcia Sink of CASA New Hampshire, for their gift through the human services funding. And finally, there was a letter from the arts committee about their upcoming budget request and why they are looking for an increase.

#### 9. Review Board Calendar

The next meeting is September 25<sup>th</sup>, 2017. They are hoping to have the preliminary budget by then, and to review the selectmen's policies.

Selectwoman Gilman said that NNEPRA wanted to make a presentation to the board. Chairman Clement said that he would also like an update on the status of some public works projects.

#### 10. Non-Public Session

There was no non-public session.

#### 11. Adjournment

MOTION: Selectman Chartrand moved to adjourn the meeting. Selectwoman Gilman seconded the motion, and it passed unanimously. The meeting was adjourned at 9:00pm.

Respectfully submitted by recording secretary Samantha Cave.